REMARKS

Reconsideration of the application in light of the following amendments and remarks is respectfully requested.

Status of the Claims

Claims 34-44, 46-50 and 52-64 are pending. No new matter has been added.

Claims 1-33 and 51 were previously cancelled without prejudice or disclaimer of the subject matter contained therein.

Claim 45 has been cancelled without prejudice or disclaimer of the subject matter contained therein.

Claims 34-44, 46-50, and 52-63 have been amended. Support for the amendments can be found in Figures 1-20, 37-44, 49-64, 69-96, and 109-116.

Claims 63 and 64 has been added. Support for claims 63 and 64 can be found in the Specification at page 49, lines 10-16; page 50, lines 21-23; and in Figures 17-20, 61-64, and 77-88.

Rejection under 35 U.S.C. §102

Claims 34-37, 39-43, 45, 47-51, and 54-62 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,367,708 to Fujimoto. Applicants respectfully traverse the rejection.

The Examiner contends that Fujimoto discloses a garment comprising a first and second stretchable portion wherein the first section has a greater straining force than the second. In response to Applicants' Remarks of December 30, 2005, the Examiner states that:

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In view of applicants remarks page 10, para. 1-3 the applicant is of the opinion that Fig. 5 of Fujimoto, discloses a stretchable portion 1 which extends onto the thigh over the top of the knee and upwardly from the knee to the groin area all the while extending along the musculus satorious. (May 1, 2006 Detailed Action, page 2, paragraph 3.)

Applicants respectfully disagree. Contrary to the Examiner's statement, Fujimoto's stretchable portion 1 does not extend along the musculus satorious. As stated in Applicants' December 30, 2005 remarks:

The musculus sartorius 711, as shown in [Applicants'] Figure 123, is a substantially straight muscle that is present obliquely in the anterior side (*i.e.*, front) of the thigh and through the superior part of the anterior side of the thigh, and reaches the lateral side of the pelvis. (December 30, 2005 Remarks, page 12, paragraph 1, lines 5-8.)

Accordingly, the musculus sartorius is located on the **front** side of the wearer's thigh. Applicants further noted in the December 30, 2005 remarks:

Fujimoto's stretchable portion 1 covers "all of the front side of the lower half of the human body except for the front sides of the thighs." (Fujimoto, col. 3, lines 61-66, emphasis added, and see, Figure 5). (December 30, 2005 Remarks, page 12, paragraph 2, lines 2-4.)

Accordingly, Applicants submit that Fujimoto <u>fails</u> to disclose or suggest a first stretchable portion which extends across the thigh along the musculus sartorius, as recited in independent claims 34, 37, 47, 55, 58, 61, and 62. Thus, Applicants submit that Fujimoto fails to disclose each and every feature recited in independent claims 34, 37, 47, 55, 58, 61, and 62. Therefore, Fujimoto does not anticipate the invention recited in claims 34, 37, 47, 55, 58, 61, and 62.

Claims 35 and 36 depend from independent claim 34. Claims 39-43, and 45 depend from independent claim 37. Claims 48-51 and 54 depend from independent claim 47. Claims 56-57 depend from independent claim 55. Claims 59-60 depend from independent claim 58. Applicants

submit that claims 35-36, 39-43, 45, 48-51, 54, 56-57, and 59-60 are patentable for at least the same reasons as discussed above with respect to their respective base claim. Applicants respectfully request reconsideration and withdrawal of the rejection.

Claims 38, 44, 46, 52, and 53 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,829,058 to Dicker et al. ("Dicker"). Applicants respectfully traverse the rejection.

The Examiner contends that Dicker's bands either partially or completely cover the claimed areas of Applicants' claims. Specifically, the Examiner contends that Dicker "disclose a band (36) which extend straight down and is capable of being position [sic] at a positioned [sic] on a medial side of a knee joint, if so desired. The examiner further note [sic] that a combination of the bands 36 and 38 would cover the claimed areas of the invention, as well." (Detailed Action, page 3, paragraph 2.)

Applicants respectfully note that according to MPEP § 2131, in order to anticipate a claim, the reference must teach each and every element of the claim. Furthermore, the Federal Circuit has found that "the identical invention must be shown in as complete detail as is contained in the . . . claim," *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Applicants respectfully submit that Dicker fails to meet these requirements.

Dicker's bands 36, 46, and 38 do not cover the ligamentum collateralle on a medial side of the knee joint and do not extend obliquely from a superior side of the knee joint through the anterior surface of the corresponding thigh and along the portion of the corresponding musculus sartorius, as recited in the independent claims 34 and 47. Furthermore, Dicker's obliquely extending band, illustrated on the left leg of the wearer, starting from the upper edge of skates 16, extends from the

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lateral side to the medial side. Thus, Dicker's obliquely extending band extends in the opposite direction to the first stretchable portion of the claimed invention. Accordingly, Applicants submit that none of Dicker's bands 36, 46, 38, and the obliquely extending band disclose or suggest the first stretchable portion of the claimed invention. Therefore, Dicker does not anticipate the invention recited in the claims.

Applicants submit that neither Fujimoto nor Dicker, alone or in combination, disclose each and every feature recited in independent claims 34, 37, and 47. Neither Fujimoto nor Dicker disclose each and every feature recited in dependent claims 38, 44, 46, 52, and 53. Accordingly, Applicants submit that claims 38, 44, 46, 52, and 53 are patentable for at least the same reasons as discussed above with respect to their respective base claim. Applicants respectfully request reconsideration and withdrawal of the rejection.

The Examiner further states in the Office Action:

As to applicant pointing out that other patents refer to specific muscle groups of the human body in order to reference the location of positions of the claimed garment. The examiner responds as follows: The claims to not specifically point out that the patent was granted because of the location of specific claimed elements in the claims, the patent may have been granted because of certain other features. (Detailed Action, page 2, paragraph 5.)

Applicants respectfully direct the Examiner's attention to U.S. Patent Application Serial No. 10/088,719 ("the '719 Application"). The '719 Application has been allowed, and a copy of the allowed claims is attached hereto in Appendix A. The Examiner states in the Reasons for Allowance (copied attached hereto in Appendix B):

The following is an examiner's statement of reasons for allowance: The relevant prior art does not disclose or fairly suggest the claimed garment having a first strong straining portion that covers over the furthest dorsal or posterior portion of the bulge of each buttock; or the

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claimed combination of a first strong straining portion along with various other strong straining portions (second, third, fourth, seventh, eighth, ninth, or tenth). (Emphasis added.) (Detailed Action, page 2, item 3.)

Thus, as demonstrated above, the '719 Application was granted because of the location of the specific claimed elements, notably the first strong straining portion, as well as the other strong straining portions. Accordingly, Applicants submit that the present claims, which references locations on the human body to describe the position of the claimed elements of the claimed garment, are patentable.

Notwithstanding the above remarks, Applicants have amended the present claims to recite features of the claimed elements that do not require a wearer and thus are not dependent upon the muscle groups of the human body.

Independent claims 34, 37, and 47 have been amended to recite "a first stretchable portion in the shape of a band extending from an upper portion of the outer leg surface obliquely across the front surface of the garment to a middle portion of the inner leg surface and covering a portion of the corresponding middle portion on the rear surface." Independent claims 55, 58, 61, and 62 recite similar features.

Applicants submit that neither Fujimoto nor Dicker disclose or suggest this feature. In contrast, Fujimoto's heavily-stretchable cloth piece 1 is located on the outer portions of the garment and fails to have the "band-like shape" stretchable portion recited in the claims. Likewise, Dicker fails to disclose the "band-like shape" stretchable portion recited in the claims. Rather, Dicker discloses that lateral band 36 extends "along each leg... and [takes] in the anterior muscle groups." (Dicker, col. 3, lines 60-63.) Dicker also discloses that medial band 38 crosses the knee or extends straight down the medial leg. *See*, Dicker, col. 3, lines 63-65. Thus, Fujimoto and Dicker, either

individually or in combination, fail to disclose or suggest the features recited in the claims. Accordingly, Applicants submit that independent claims 34, 37, 47, 55, 58, 61, and 62, along with their respective dependent claims, are patentable.

Added Claims

New claim 63 depends from independent claim 34. New Claim 64 depends from independent claim 47. Applicants submit that new claims 63 and 64 are patentable for at least the same reasons as discussed above with respect to their respective base claim.

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CONCLUSION

Each and every point raised in the Final Office Action dated May 1, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 34-44, 46-50, and 52-64 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: June 30, 2006

Respectfully submitted,

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Application No. 10/088,719
Supplemental Amendment dated June 13, 2006
After Allowance Under 37 C.F.R. 1.312

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AMENDMENTS TO THE CLAIMS

1. (Allowed): A garment comprising a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body, wherein:

the garment in part has a portion with a strong straining force;

the portion with a strong straining force is a first strong straining portion;

wearer's right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body; and

the first portion is adapted to cover a region extending from said position through the furthest dorsal point of bulge of each buttock in the direction of muscle fibers of musculus gluteus maximus to at least the vicinity of trochanter major at wearer's right and left.

2. (Allowed): The garment according to claim 1, further comprising a second strong straining portion, wherein:

right and left parts of the second portion are connected at a position on the garment adapted to correspond to musculus rectus abdominis in a hypogastric region; and

the second portion is adapted to cover a region extending obliquely downward from the position on musculus rectus abdominis in a hypogastric region approximately in the direction of muscle fibers of musculus obliquus internus abdominis at wearer's right and left to at least the vicinity of trochanter major.

Claims 3-6 (Cancelled).

7. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower

body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

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a first strong straining portion with a strong straining force, wherein wearer's right and left parts of

the first portion are connected at a position on the back side of the garment and adapted to

correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body;

the first portion is adapted to cover a region extending from said position through

tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of

musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

a second strong straining portion; and

a third strong straining portion adapted to press the abdomen;

wherein the third portion has a main stretch direction in the longitudinal direction of

the garment;

the third portion being adapted to cover the center of hypograstric region;

an end of the second portion is connected to each of the right and left lower sides of

the third portion; and

the second portion being adapted to cover a region extending obliquely downward

from the right and left lower sides of the third portion approximately in the directions of muscle

fibers of musculus obliquus internus abdonimis at wearer's right and left to at least the vicinity of trochanter major.

8. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body;

the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

a third strong straining portion adapted to press the abdomen; and

a fourth strong straining portion,

wherein the third portion has a main stretch direction in the longitudinal direction of the garment;

the third portion is adapted to cover the center of a hypogastric region;

an end of the fourth portion is connected to each of right and left upper sides of the third portion; and

the fourth portion is adapted to cover a region extending obliquely upward from the right and left upper sides of the third portion approximately in the direction of muscle fibers of

musculus obliquus externus abdominis at wearer's right and left to at least a position exceeding the sides of the wearer to the back side.

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9. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body;

the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

a second strong straining portion;

a third strong straining portion is adapted to press the abdomen, and

a fourth strong straining potion,

wherein the third portion has a main stretch direction in the longitudinal direction of the garment;

the third portion is adapted to cover the center of a hypogastric region;

an end of the second portion is connected to each of right and left lower sides of the third portion;

the second portion is adapted to cover a region extending obliquely downward from the right and left lower sides of the third portion approximately in the direction of muscle fibers of musculus obliquus internus abdominis at wearer's right and left to at least the vicinity of trochanter major;

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an end of the fourth portion is connected to each of right and left upper sides of the third portion; and

the fourth portion is adapted to cover a region extending obliquely upward from the right and left upper sides of the third portion approximately in the direction of muscle fibers of musculus obliquus externus abdominis at wearer's right and left to at least a position exceeding the sides of the wearer to the back side.

Claims 10-12 (Cancelled).

13. (Allowed): The garment according to claim 1, wherein:

the second portion also has a fifth strong straining portion; and

the fifth portion is adapted to cover further a region extending from the vicinity of trochanter major through a lower part of the bulges of the buttocks.

14. (Allowed): The garment according to claim 1, wherein:

the second portion also has a sixth strong straining portion; and

the sixth portion is adapted to cover further a region extending from the vicinity of trochanter major through at least a part of hamstrings in regio femoralis posterior.

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Claims 15-24 (Cancelled).

25. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower

body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back

side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the

wearer's body;

the first portion is adapted to cover a region extending from said position through

tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of

musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major; and

a fourth strong straining portion,

wherein right and left parts of the fourth portion are connected at a position on the

garment adapted to correspond to musculus rectus abdominis in a hypogastric region; and

the fourth portion is adapted to cover a region extending obliquely upward from the

position on musculus rectus abdominis in hypograstric region approximately in the direction of

muscle fibers of musculus obloquies externus adominis at wearer's right and left to at least a

position exceeding the sides of the wearer to the back side.

26. (Currently Amended): The garment according to claim 2, further comprising:

a fourth strong straining portion,[[,]]

wherein right and left parts of the fourth portion are connected at a position on the garment adapted to correspond to musculus rectus abdominis in a hypogastric region; and

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the fourth portion is adapted to cover a region extending obliquely upward from the position on musculus rectus abdominis in a hypogastric region approximately in the direction of muscle fibers of musculus obloquies externus abdominis at wearer's right and left to at least a position exceeding the sides of the wearer to the back side.

27. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body; a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body;

the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major; and

wherein right and left parts of the seventh portion are connected approximately in the vicinity of a position on the garment adapted to correspond to the back center of the waist; and

a seventh strong straining portion,

the seventh portion is adapted to cover a region extending from the vicinity of the position at the back center of the waist through musculus latisimus dorsi and musculus gluteus medius at wearer's right and left and a part of musculus obloquies externus abdominis to at least a position exceeding the sides of the wearer to the front side.

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28. (Allowed): The garment according to claim 26, further comprising:

a seventh strong straining portion,

wherein right and left parts of the seventh portion are connected approximately in the vicinity of a position on the garment adapted to correspond to the back center of the waist; and

the seventh portion is adapted to cover a region extending from the vicinity of the position at the back center of the waist through musculus latisimus dorsi and musculus gluteus medius at wearer's right and left and a part of musculus obloquies externus abdominis to at least a position exceeding the sides of the wearer to the front side.

29. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body; and

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the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

the first portion also has an eighth strong straining portion,

wherein the eighth portion is adapted to cover further a region extending from the vicinity of trochanter major toward regio femoralis anterior medialis through at least a part of any at least one musculus quadriceps femoris selected from musculus sartorius, musculus rectus femoris and musculus vastus medialis.

30. (Allowed): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body; and

the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

the first portion also has a ninth strong straining portion,

wherein the ninth portion is adapted to cover further a region extending from the vicinity of trochanter major through the vicinity of tractus iliotibialis and/or musculus vastus lateralis in regio femoralis to a position a little higher than patella.

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31. (Currently Amended): A garment comprising:

a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body;[[:]]

a first strong straining portion with a strong straining force,

wherein right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body; and

the first portion is adapted to cover a region extending from said position through tops of bulges of the buttocks or vicinities thereof approximately in the direction of muscle fibers of musculus gluteus maximus at wearer's right and left to at least the vicinity of trochanter major;

the first portion also has an tenth strong straining portion; and

the tenth portion is adapted to cover further a region extending from the vicinity of trochanter major through the vicinity of tractus iliotibialis and/or musculus vastus lateralis to patella, and further from patella through the vicinity of musculus gastrocnemius and/or musculus soleus in the regio cruris lateralis to the vicinity of an upper part of malleolus lateralis so as to support musculus gastrocnemius and musculus soleus.

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32. (Allowed): The garment according to 28, further comprising:

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an eleventh strong straining portion in which the fourth portion and the seventh

portion are united and continuous.

33. (Allowed): The garment according to claim 1, wherein a strong straining portion is

formed by laminating a cloth on the front side or back side of a main body fabric of the garment.

34. (Allowed): The garment according to claim 1, wherein a strong straining portion is

formed by changing a stitch for knitting a main body fabric of the garment to form a weak straining

portion and a strong straining portion in patterns.

35. (Allowed): The garment according to claim 1, wherein a strong straining portion is

formed by laminating a film of a synthetic resin or rubber having elasticity on a predetermined part

of a main body fabric of the garment or by impregnating or coating a predetermined part of a main

body fabric of the garment with a solution or emulsion of a synthetic resin or rubber having

elasticity followed by drying.

36. (Allowed): The garment according to claim 1, wherein a strong straining portion has a

straining force of 150 to 400 gf.

37. (Allowed): The garment according to claim 1, wherein the stretch fabric is a knitted

fabric selected from a two-way stretch tricot and a stretch raschel.

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38. (Allowed): The garment according to claim 1, wherein:

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the garment comprises a stretch fabric,

the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is worn by being fitted to the wearer body, and

the garment is selected from a girdle, spats, sports tights, bodysuit, leotard and swimsuit.

39. (Allowed): The garment according to claim 1, wherein:

the garment comprises a stretch fabric,

the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is worn by being fitted to the wearer body, and

the garment has a leg part for cylindrically covering regio femoralis of the wearer body to at least a position lower than the crotch part.

40. (Allowed): The garment according to claim 1, wherein:

the garment comprises a stretch fabric,

the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is worn by being fitted to the wearer body,

the position of a lower end of the garment is approximately the same as or higher than the position of the crotch part; and

the garment does not have a leg part for cylindrically covering regio femoralis to at least a position lower than the crotch part.

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41. (Allowed): The garment according to claim 31, further comprising a twelfth strong straining portion, wherein:

the twelfth portion is adapted to cover a region extending from an upper part of regio femoralis medialis through musculus vastus medialis to patella so as to support musculus vastus medialis, and further from patella through the vicinity of one of musculus gastrocnemius and musculus soleus in regio cruris medialis to the vicinity of an upper part of malleolus medialis so as to support musculus gastrocnemius and musculus soleus.

42 (Allowed): A garment comprising a stretch fabric wherein the garment is adapted to cover at least a part of the lower body of a wearer, has a crotch part, and is adapted to be worn by being fitted to the wearer's body, wherein:

the garment in part has a portion with a strong straining force;

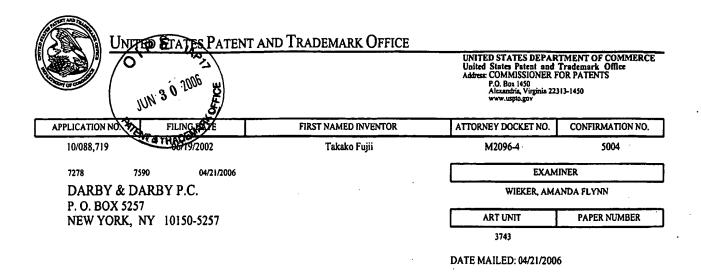
the portion with a strong straining force is a first strong straining portion;

wearer's right and left parts of the first portion are connected at a position on the back side of the garment adapted to correspond to any region from os sacrum to vertebrae lumbalis of the wearer's body; and

the first portion is adapted to cover a region starting from said position, running in the direction of the muscle fibers of musculus gluteus maximus to extend over the furthest posterior 15

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point of each buttock at right and left sides of the garment, and reaching at least the vicinity of trochanter major.



Please find below and/or attached an Office communication concerning this application or proceeding.

OF	Application No.	Applicant(s)
	•	51111157.41
Notice of Allowability	10/088,719 Examiner	FUJII ET AL. Art Unit
Supplemental Notice of Allowability	Cammo	7
, o //	Amanda F. Wieker	3743
The MAILING DATE of this communication appears on the cover sheet with the correspondence address-All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to the IDS filed on 3/15/06.		
2. \(\times \text{ The allowed claim(s) is/are } 1-2, \ 7-9, \ 13-14 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		
3. ☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☑ Certified copies of the priority documents have been received.		
2. Certified copies of the priority documents have been received in Application No		
3. Copies of the certified copies of the priority documents have been received in this national stage application from the		
International Bureau (PCT Rule 17.2(a)).		
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached		
1) hereto or 2) to Paper No./Mail Date		
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s) 1 ☐ Notice of References Cited (PTO-892)	5. Notice of Infor	mal Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Sum	
3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0		ail Date nendment/Comment
Paper No./Mail Date 3/15/06 4. Examiner's Comment Regarding Requirement for Deposit		atement of Reasons for Mowance
of Biological Material	9.	
		Henry Bennett Supervison Patent Examiner Group 3700

Application/Control Number: 10/088,719

Application/C

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 15 March 2006 was filed after the mailing date of the Notice of Allowance on 22 February 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

- 2. Claims 1-2, 7-9, 13-14 and 25-42 are allowed.
- 3. The following is an examiner's statement of reasons for allowance: The relevant prior art does not disclose or fairly suggest the claimed garment having a first strong straining portion that covers over the furthest dorsal or posterior portion of the bulge of each buttock and extends to trochanter major on the wearer's right and left; or the claimed combination of a first strong straining portion along with various other strong straining portions (second, third, fourth, seventh, eighth, ninth or tenth).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda F. Wieker whose telephone number is 571-272-4794. The examiner can normally be reached on Monday-Thursday, 7:30 - 5:00 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennett can be reached on 571-272-4791. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Amanda F. Wieker

Examiner Art Unit 3743